

RESOLUTION NO. R-2004-0514

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1986-062B.3  
TO REVOKE THE DEVELOPMENT ORDER AMENDMENTS APPROVED BY  
RESOLUTION NO. R-97-8  
PETITION NO. 1986-062B  
THE PETITION OF M. TRAIL, INC. AND  
RESOLUTION NO. R-2002-0293  
STATUS REPORT SR 86-62B.2

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan; and

WHEREAS, the notice and hearing requirements as provided for in Article 2.E. of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1986-062B.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on March 25, 2004; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1986-062B.3 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to revoke the Conditional Use "A"; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The requested use was approved more than seven years ago.
2. Three time extensions have previously been approved for the requested use.
3. Development has not commenced
4. The property owner has not documented any efforts to commence development.
5. The property owner has not documented any circumstances beyond the control of the property owner which has prevented the commencement of development.
6. The property owner does not object to the revocation of the development order.
7. The revocation of development orders is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 1986-062B.3, to revoke the Development Order Amendment previously granted by the approval of the petition of M. Trail, Inc., Petition No. 1986-062B, confirmed by the adoption of Resolution No. R-97-8, January 6, 1997, which approved a Development Order Amendment for a self-storage facility and vehicle rental (requested uses), and to revoke the Development Order Amendment which amended conditions of approval as recommended by Status Report 86-62B.2, and confirmed by the adoption of Resolution No. R-2002-0293, for property legally described in Exhibit "A", being located on the west side

of Military Trail approximately 0.25 mile south of Cresthaven Boulevard, in the CG-General Commercial Zoning District, is approved.

Commissioner McCarty moved for approval of the Resolution.

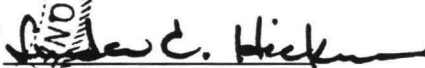
The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

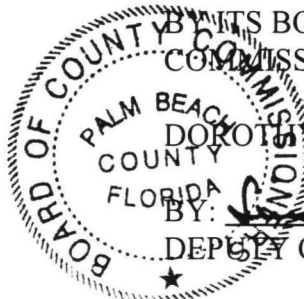
KAREN T. MARCUS, CHAIR	—	Absent
TONY MASILOTTI, VICE CHAIRMAN	—	Aye
JEFF KOONS	—	Absent
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Absent

The Chair thereupon declared the resolution was duly passed and adopted this 25 day of March, 2004.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BOARD OF COUNTY COMMISSIONERS  
DOROTHY H. WILKEN, CLERK  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 14 day of April, 2004.